

City of Worcester

Ordinances for the Licensing and Control of Dogs

Chapter 8 § 10. Dog Licenses

(a) Every owner or keeper of a dog six months old or over, shall, annually during the month of March, or within 30 days after a dog becomes six months old, obtain a license from the city clerk. Each license shall be numbered and contain the color, breed, gender and special markings of the dog; the name, residential address and phone number of the owner; a description of the symptoms of rabies printed thereon; and such other information as the city clerk deems appropriate. The city clerk shall not issue any license to any person under the age of eighteen, nor issue more than two licenses for any single dwelling unit. Each license shall be issued upon the condition that the owner or keeper shall comply with the provisions of this ordinance and any law, rule or regulation relating to the ownership and control of dogs.

(b) The city clerk shall not issue any license unless the owner or keeper provides either a veterinarian's certification that such dog has been vaccinated in accordance with § 13, herein, or has been certified exempt from such provision as hereinafter provided, or a notarized letter from a veterinarian that a certification was issued or a metal rabies tag bearing an expiration date indicating that such certification is still in effect.

(c) The city clerk may grant an exemption from the requirements of § 13 for any dog which has not yet obtained the age of six months, any dog which the director of public health or his or her designee, for a specified period of time, declares exempt upon presentation of a veterinarian's certificate stating that because of an infirmity, other physical condition or regiment of therapy, that inoculation is thereby deemed inadvisable, or any dog in transit, or any dog brought into the city temporarily for the sole purpose of showing in dog shows or exhibitions.

(d) The city clerk shall furnish with every license issued hereunder, tags containing the words "city of Worcester" and the license number and the year issued. The owner or keeper of every dog shall cause it to wear around its neck or body a collar or harness of leather or other suitable material, to which such tag shall be securely fastened.

(e) The fee for every license, except as otherwise provided, shall be as follows:

Females	\$15.00
Males	\$15.00
Spayed females	\$10.00
Neutered male	\$10.00

Any person who fails to obtain an annual dog license on or before May 31st shall be charged when applying for a license, in addition to the license fee, a late fee of fifteen (\$15.00) dollars.

(f) Any person requesting a license for a spayed female or neutered male shall present a certificate, from the registered veterinarian who performed the operation, that the dog has

been spayed or neutered, as the case may be, and has thereby been deprived of the power of propagation.

(g) If the city clerk is satisfied that the certificate of the veterinarian who spayed the dog cannot be obtained, he may accept in lieu thereof a statement signed under the penalties of perjury by a veterinarian registered and practicing in the commonwealth, describing the dog and stating that he has examined such dog and that it appears to have been, and in his opinion has been spayed and thereby deprived of the power of propagation or a receipt of a bill from the veterinarian who performed the operation that spayed such female dog.

(h) No fee shall be charged for a license for a dog specially trained to lead or serve a blind person; provided, that the Massachusetts commission for the blind certifies that such dog is so trained and is actually in the service of a blind person. No fee shall be charged for a license for a dog professionally trained in the hearing dog business to serve a deaf or audibly impaired person; provided, that the director of the office of deafness certifies that such dog is so trained and is actually in the service of a deaf or audibly impaired person. For purposes of this section an "audibly impaired person" shall be any individual unable to hear air conduction thresholds at an average of forty decibels. Any license issued to a blind, deaf or audibly impaired person shall bear a special designation indicating that such dog is a "registered service dog".

(i) All fees collected pursuant to this chapter shall be deposited with the city treasurer who shall credit them to the general fund of the city. No license fee or part thereof shall be refunded because of the revocation or surrender of the license, or the subsequent death, loss, spaying, or removal from the city, or other disposal, of the dog.

§ 11. Kennel License

(a) No person, without a valid kennel license from the city clerk, shall: (1) own or keep more than two dogs or cats six months old or older in a single dwelling unit; or, (2) maintain any number of dogs or cats for boarding, training, breeding or for sale, including a shop where dogs are on sale. Each kennel license shall be valid for one year beginning on April first and ending on March thirty-first. Each license shall contain the name, address and phone number of the owner or keeper, the number of dogs or cats maintained and such other information as the city clerk deems appropriate. Each license shall be issued upon the condition that the owner or keeper shall comply with the provisions of this ordinance and any law, rule or regulation relating to the ownership and control of dogs or cats.

(b) The kennel license shall be issued in lieu of the license required by § 10 above for any dog while kept at such kennel during any portion of the period for which the kennel license is valid. The holder of a kennel license shall cause the dog kept therein to wear, while it is at large, a collar or harness of leather or other suitable material, to which shall be securely attached a tag showing the number of the kennel license, the year of the issuance and the words "city of Worcester." Such tags shall be furnished by the city clerk in quantities not less than the number of dogs licensed to be kept in such kennel.

(c) Any domestic charitable corporation incorporated exclusively for the purpose of protecting animals from cruelty, neglect or abuse and for the relief of suffering among animals shall be entitled to a kennel license without charge, providing all other applicable provisions are satisfied.

(d) Every holder of a kennel license shall maintain their kennel in a sanitary and humane manner and shall keep a record of all dogs or cats, including their license numbers, kept in the kennel.

(e) Every holder of a kennel license shall, upon delivering an unlicensed dog to a purchaser or to any other person, attach to such dog a collar or harness which shall carry a tag marked with the name and address of the kennel licensee, and a number which shall be properly recorded on the records of the licensee. The kennel licensee shall also furnish to every person to whom a dog is delivered a certificate bearing the number on the dog's tag and a description of the dog. Such certificate shall bear the date of the purchase or delivery and, with the tag, shall for fourteen days, following such date, be a legal substitute for a license. The purchaser or recipient of a dog from a kennel licensee shall, within two weeks of the purchase or receipt, obtain a license in accordance with section one of this chapter and return the temporary tag to the kennel licensee with a certificate signed by the city clerk certifying that the dog has been licensed. If any purchaser or recipient fails to comply with the above requirements, the kennel licensee shall within seven days notify the city clerk of the name and address of the purchaser or recipient, and the date of delivery.

(f) The city clerk, commissioner of inspectional services, or their designee, or any police officer or dog officer, may at any time inspect or cause to be inspected any kennel licensed under this section and if, in their or his judgment, the kennel is not being maintained in a sanitary or humane manner, or if records are not properly kept as required by this ordinance or other applicable law, or is in violation of any provision of this ordinance, the city clerk shall by order revoke or suspend, and in the case of suspension may reinstate, such license.

(g) No kennel license shall be issued unless the applicant presents evidence to the city clerk showing that the applicant has reached the age of eighteen and has complied with the zoning ordinances of the city with respect to kennels. In no case shall a kennel license be issued to any person whereby a kennel would be maintained in any multi-family dwelling or on the premises thereof.

§ 12. Dangerous Dogs & Nuisance Animals

(a) No person shall own, harbor or keep any dangerous dog anywhere within the city for any length of time. For purposes of this section a "dangerous dog" shall be any dog which:

- (1) has, without provocation, bites or inflicts serious injury on any person or any domestic animal; or
- (2) is owned, harbored or trained primarily or in part for the purpose of dog fighting; or
- (3) is owned or harbored on property known for drug trafficking or gang activities; or
- (4) has been impounded by an animal control officer for a violation of section 14 (a) (2) of this chapter, or has been otherwise observed in violation of section 14 (a) (2) of this chapter, on at least three separate occasions within any twelve-month period.

(b) The city clerk shall deny a license to anyone attempting to license a dangerous dog as defined by this section and shall revoke the license of any dog that has subsequently been designated as dangerous.

(c) The chief of police shall order any dangerous dog as defined by this section to be removed from the city and may exercise any of the enforcement powers granted under G.L. chapter 140, § 151, or any other regulation, statute, ordinance or upon order of a court.

(d) No person shall own or keep a “nuisance animal” which shall be any animal which molests, harasses, annoys, injures, attempts to injure, assaults, bites, or otherwise injures any person or other animal; or which damages or destroys any private or public property; or which trespasses on the grounds of any public school in the city; or which barks, whines or howls and disturbs the peace and tranquility of an area; or which interferes with a police officer, fire fighter, emergency medical care provider, or city inspector while performing their duties.

(e) No person shall subject any animal to abuse, inhumane care, or unsafe or unsanitary conditions.

§ 13. Vaccination Required

(a) Whoever is the owner or keeper of a dog six months of age or older shall cause such dog to be vaccinated against rabies by a licensed veterinarian using a vaccine approved by the division of public health of the department of health & human services. Such owner or keeper shall procure a veterinarian's certification that such dog has been so vaccinated and setting forth the date of such vaccination and the duration of immunity, or a notarized letter from a veterinarian that a certificate was issued, or a metal rabies tag bearing an expiration date indicating that such certification is still in effect.

(b) Unvaccinated dogs acquired or brought into the city shall be vaccinated within thirty days after acquisition or entry into the city or upon reaching the age of six months, whichever comes later.

(c) Vaccinated dogs shall be revaccinated in accordance with rules and regulations adopted and promulgated by the division of public health of the department of health & human services.

§ 14. Duties of Dog Owners

(a) It shall be unlawful for any person to:

- (1) keep or harbor any dog without the license required by sections ten or eleven of this chapter; or violate any requirement imposed as a condition to the issuance of a license under sections ten or eleven of this chapter; or
- (2) permit any dog he or she owns or keeps to run or roam at large off the premises of the owner or keeper without either being secured by a leash which does not exceed six feet in length or secured in an enclosed animal transportation cage; or

- (3) fail to cause any dog to be vaccinated as required by section thirteen of this chapter; or
- (4) maintain a kennel in violation of the zoning ordinance or in any multi family dwelling or on the premises thereof; or
- (5) use any license for a dog other than for the dog for which it was issued; or
- (6) withhold or falsify any information on an application for a dog or kennel license; or
- (7) allow any dog, except a registered service dog, to be in any city park, public cemetery or playground; or
- (8) allow any dog, except a registered service dog, to be in or on any place open to the public within that area of the city surrounded by and including both sides of Irving, Linden and Harvard Streets to the west, Madison Street to the south, Route I-290 to the east and Concord Street to the north, unless the dog is licensed at an address within said area; except that nothing herein shall prohibit any dog from participating in, being transported to or from, or being exercised or board in connection with, any dog show, act or event for which an entertainment license has been issued by the city under G.L. c. 140, or for which a permit has been issued pursuant to division of public health regulations for the keeping or exhibition of animals, which is conducted by any corporation organized primarily for the promotion of dogs, so long as any such dog is secured in a cage or by a leash which does not exceed six feet in length while on any street open to the public, and so long as, at no time shall any such dog be taken into the Worcester Common or any city park, playground or schoolyard; or
- (9) permit any dog he or she owns or keeps to deposit any excreta on any property, whether public or privately owned, which is open to the public, without immediately removing such excreta for disposition in a sanitary manner; or
- (10) permit dog excreta to accumulate on his/her property;
- (11) cause or permit any dog, whether leashed or unleashed, to hang from or otherwise damage any tree, whether public or private.

(b) The owner or keeper of a domestic animal shall properly dispose of the animal within seventy-two hours of its death.

§ 15. Enforcement

(a) The city manager, acting through the chief of police, police officers, animal control officers, or any officer or employee of the city under the jurisdiction of the city manager, shall have authority to enforce the provisions of this chapter and shall have all the powers and duties afforded by chapter 140 of the General Laws as it relates to the regulations of dogs and dog owners. Enforcement of this ordinance may, in the discretion of the city manager or the enforcement agents described above, be initiated as a criminal matter or an *in rem* proceeding under the provisions of this section, or a non-criminal matter under the provisions of section seventeen of this chapter, or any combination of the above.

(b) Any person may make a complaint to the chief of police pursuant to § 157 of chapter 140 of the General Laws. The chief of police shall investigate the matter in accordance

with the terms of said section and may make any order concerning the restraint or disposal of such dog as provided for therein.

(c) Each violation of any of the provisions of this chapter shall be punished by a fine of fifty dollars for each offense with each day of violation constituting a separate offense. Any person who is punished under this section, or penalized under the provisions of section seventeen of this chapter, for three or more violations in any two year period shall immediately forfeit any license issued under sections ten through seventeen of this chapter and shall be ineligible to hold any dog or kennel license for one year from the date of the third conviction or imposition of a civil penalty.

(d) In addition to any fine or monetary penalty imposed by sections ten through seventeen of this chapter, any dog found running at-large within the city, or any animal found to be a dangerous dog or a nuisance animal, shall be deemed forfeit and may be seized and impounded by the city. The owner of any such animal shall be liable to the city for all fees and expenses paid for the protection, care, rehabilitation or euthanasia of any such animal. The owner of any animal deemed forfeit and seized by the city shall have the right to request a hearing before the chief of police to determine whether the animal qualifies as a dangerous dog or nuisance animal under this chapter, if a request for a hearing is made in writing to the chief of police within seventy-two hours after such seizure occurs. Any such hearing shall be informal and may be conducted by the chief of police, or his or her designee.

(e) Every license issued under this chapter shall become void whenever the licensee is found guilty of, or penalized in any manner for, sections seventy-seven, eighty A, ninety-four or ninety-five of chapter two hundred and seventy-two of the General Laws. The licensee shall immediately return and surrender any such license to the city clerk. No person shall be given a license under the provisions of this chapter during a period two years from the date of being found guilty or penalized in any manner as aforesaid, and any such license issued shall be void and shall be surrendered upon demand of the city clerk, or his designee.

§ 16. Additional Rules and Regulations Under G.L. c. 140

(a) The city clerk, chief of police and commissioner of inspectional services shall have the authority to make regulations appropriate for the implementation and enforcement of this chapter.

(b) Nothing in this chapter or any rule or regulation adopted hereunder shall contradict the provisions of chapter 140 of the General Laws relating to the turning over or sale of animals to any business or institution licensed or registered as a research facility or animal dealer in § 151, the minimum confinement period of dogs in § 151A, or the methods of execution in § 151A.

(c) Any provision of sections 136A through 174D of chapter 140 of the General Laws, as may be amended from time to time, not inconsistent with this chapter shall continue to have the force of law within the city.

§ 17. Non-Criminal Disposition

(a) The violation of any provision of sections ten through seventeen of this chapter may be enforced through the non-criminal procedures described in § 173A of chapter 140 of

the General Laws, (as the same may be amended from time to time), except that, by this ordinance, the schedule of fines provided for in § 173A shall be superseded by the provisions of this section.

(b) The non-criminal penalty for violation of any provision of this ordinance shall be fifty dollars for each offense with each day of violation constituting a separate offense.